IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8802 OF 2007

Maruti Bharamana Patil ...Petitioner

Versus

Vanita Maruti Patil and anr. ....Respondents

S.S.Redekar for the petitioner.

S.S.Patwardhan for respondent no.1.

CORAM: S.C.DHARMADHIKARI, J.

4th December, 2007.

P.C. :

1. In my view, it is not necessary to interfere with the order granting interim maintenance at this stage. If the petitioner is aggrieved by the fact that the contesting respondents/plaintiffs are filing proceedings after proceedings only to harass him and recover some amounts from him, that aspect is open for being agitated during the pendency of the proceedings. Further, the petitioner can point out to the trial court that the proceedings are unreasonably and

unnecessarily prolonged only to extract sums and monies from the present petitioner. The petitioner has already paid Rs.25,000/-. He should pay the balance sum as awarded within a period of four weeks from today and thereafter apply to the trial court for expeditious hearing of the suit and such an application if made shall be considered by the Trial court on its own merits. Further, the Trial court to also consider the grievance of the present petitioner that he is unable to pay the sum as awarded at an interim stage. If the petitioner desires any modification in that behalf he is always at liberty to apply and even such an application should be dealt in accordance with law. Petition dismissed. No costs.

SD/-

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